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May 5, 2005

EX PARTE

Marlene H. Dortch, Secretary Federal Communications Commission Office of the Secretary 445 12th Street SW Washington, DC 20554

Re: Ex Parte - SBC IP-Platform Services Forbearance Petition, WC Dkt No. 04-29

Dear Ms. Dortch:

Yesterday, Steven Teplitz, Vice President and Associate General Counsel, Time Warner Inc., had a telephone conversation with John Stanley, Legal Advisor to Commissioner Abernathy, to discuss issues relating to the above-captioned proceeding.

In particular, Time Warner urged that the FCC premise any decision to deny the petition on the grounds that the petition is legally and factually insufficient to meet the statutory forbearance standard. Time Warner additionally urged that however the FCC proceeds, it should make clear that its action has no bearing on the application of Title VI requirements to the services at issue in the petition but rather is limited to the Title II issues raised in the petition itself.

Pursuant to Section 1.1206(b) of the Commission's rules, copies of this notice are being filed electronically in the above-captioned proceedings for inclusion in the public record. Should you have any questions, please do not hesitate to contact me.

Sincerely,

/s/

Donna N. Lampert *Counsel for Time Warner Inc.*

cc: John Stanley (via email)